

## Message

**From:** Sharpe, Kristinn [Sharpe.Kristinn@epa.gov]  
**Sent:** 3/27/2020 1:16:33 PM  
**To:** Sachs, Robert [Sachs.Robert@epa.gov]; Barnes, Betty [Barnes.Betty@epa.gov]; Grosshans, Jon [grosshans.jon@epa.gov]; Hage, Christopher [hage.christopher@epa.gov]; Ashbee, Blake [ashbee.blake@epa.gov]; Regional\_Chiefs\_of\_Staff [Regional\_Chiefs\_of\_Staff@epa.gov]; Edmondson, Lucy [Edmondson.Lucy@epa.gov]; Furio, Brooke [furio.brooke@epa.gov]; Howard, Katherine [howard.katherine@epa.gov]; Tapp, Joshua [Tapp.Joshua@epa.gov]; Halstead, Amanda [halstead.amanda@epa.gov]; Garvey, Megan [garvey.megan@epa.gov]; Munoz, Charles [munoz.charles@epa.gov]; Thiede, Kurt [thiede.kurt@epa.gov]; Davis, Patrick [davis.patrick@epa.gov]; Compton, Kathleen [compton.kathleen@epa.gov]; Holsman, Marianne [Holsman.Marianne@epa.gov]; Kluesner, Dave [kluesner.dave@epa.gov]; Carpenter, Dale [Carpenter.Dale@epa.gov]; Wester, Barbara [wester.barbara@epa.gov]; Shaw, Nena [Shaw.Nena@epa.gov]; Lyon, Christopher [lyon.christopher@epa.gov]; Anderson, Andrew [anderson.andrew@epa.gov]; Given, Erin [given.erin@epa.gov]; Lubbe, Wendy [Lubbe.Wendy@epa.gov]; Chancellor, Erin [chancellor.erin@epa.gov]; Harris, Michael [harris.michael@epa.gov]; Gray, David [gray.david@epa.gov]; Bredehoft, Deborah [bredehoft.deborah@epa.gov]; Perrin, Rebecca [Perrin.Rebecca@epa.gov]; Schoepf, Walter [Schoepf.Walter@epa.gov]; Larson, Darrin [Larson.Darrin@epa.gov]; Dixon, Sean [dixon.sean@epa.gov]; Beers, Samantha [Beers.Samantha@epa.gov]; Hackett, Jonathan [hackett.jonathan@epa.gov]; Ebbert, Laura [Ebbert.Laura@epa.gov]; Rush, Randall [Rush.Randall@epa.gov]; Girard, Alexander [girard.alexander@epa.gov]; Taylor, Andrew [Taylor.Andrew@epa.gov]; Guillard, Jennifer [Guillard.Jennifer@epa.gov]; Fite, Mark [Fite.Mark@epa.gov]; Pessetto, Jared [Pessetto.Jared@epa.gov]; McAtee, Jeffrey [McAtee.Jeffrey@epa.gov]; Gargas, Toni [Gargas.Toni@epa.gov]; Bassett, Jay [Bassett.Jay@epa.gov]; Park, Susan [Park.Susan@epa.gov]; Caldwell, Lance [Caldwell.Lance@epa.gov]; Corona, Elizabeth [Corona.Elizabeth@epa.gov]  
**Subject:** FW: Smart Sectors Update that we emailed our partners

Hi regional Smart Sectors coordinators:

We thought you might like to see the email we sent to our trades yesterday afternoon. You'll see that we included some of the information that you have shared with us. We really appreciate all of the back and forth, so please keep us posted as you learn more about how your sectors are impacted or other opportunities to assist during this pandemic.

Hopefully, you saw that I sent out a recurring scheduler to update our regional call frequency to every two weeks. Let me know if you have agenda topics. We will also soon be sharing the regional/program sector SME spreadsheet that we would appreciate your help updating.

Looking forward to even greater collaboration with you,  
 Kristinn and the Smart Sectors Team

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**From:** Shaw, Nena <Shaw.Nena@epa.gov>  
**Sent:** Thursday, March 26, 2020 4:23 PM  
**Subject:** Smart Sectors Update

Dear Smart Sectors Partner:

Thank you for your continued dedication to your member companies and to your relationship with EPA. We have heard from many of you with your letters to the Administration. Please let us know if we have missed any of your letters, particularly with respect to EPA matters. Below we are sharing some information from EPA including today's OECA press release on enforcement and OCSPP's press release on disinfectants. We have also included information below the press releases from the SBA and FDA that may be helpful to you and your members as this situation evolves.

## EPA Announces Enforcement Discretion Policy for COVID-19 Pandemic

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**WASHINGTON (March 26, 2020)** – The U.S. Environmental Protection Agency (EPA) is mindful of the health and safety of the public, as well as our staff, and those of Federal Agencies, State and Local Governments, Tribes, Regulated Entities, Contractors, and Non-governmental Organizations during the COVID-19 pandemic. The agency is taking these important considerations into account as we all continue our work to protect human health and the environment. Accordingly, EPA is announcing a temporary policy regarding EPA enforcement of environmental legal obligations during the COVID-19 pandemic.

EPA's temporary enforcement discretion policy applies to civil violations during the COVID-19 outbreak. The policy addresses different categories of noncompliance differently. For example, under the policy EPA does not expect to seek penalties for noncompliance with routine monitoring and reporting obligations that are the result of the COVID-19 pandemic but does expect operators of public water systems to continue to ensure the safety of our drinking water supplies. The policy also describes the steps that regulated facilities should take to qualify for enforcement discretion.

"EPA is committed to protecting human health and the environment, but recognizes challenges resulting from efforts to protect workers and the public from COVID-19 may directly impact the ability of regulated facilities to meet all federal regulatory requirements," **said EPA Administrator Andrew Wheeler**. "This temporary policy is designed to provide enforcement discretion under the current, extraordinary conditions, while ensuring facility operations continue to protect human health and the environment."

The temporary policy makes it clear that EPA expects regulated facilities to comply with regulatory requirements, where reasonably practicable, and to return to compliance as quickly as possible. To be eligible for enforcement discretion, the policy also requires facilities to document decisions made to prevent or mitigate noncompliance and demonstrate how the noncompliance was caused by the COVID-19 pandemic.

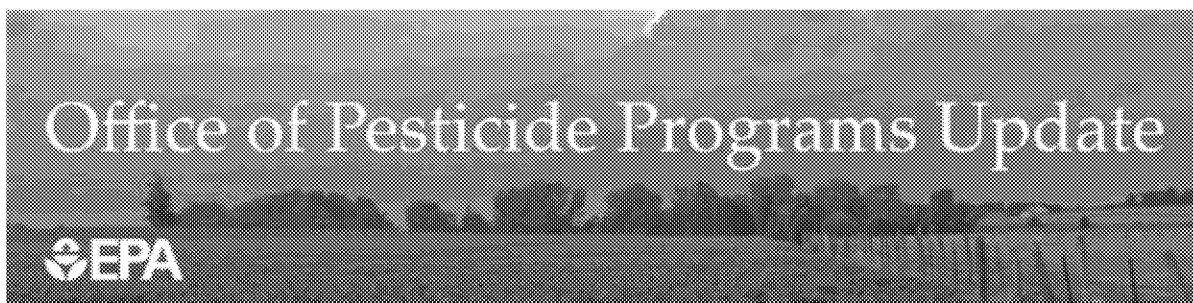
This policy does not provide leniency for intentional criminal violations of law.

The policy does not apply to activities that are carried out under Superfund and RCRA Corrective Action enforcement instruments. EPA will address these matters in separate communications.

EPA's policy will apply retroactively beginning on March 13, 2020. EPA will assess the continued need for and scope of this temporary policy on a regular basis and will update it if EPA determines modifications are necessary. In order to provide fair and sufficient notice to the public, EPA will post a notification [here](#) at least 7 days prior to terminating this temporary policy.

To read the EPA Policy on Enforcement during the COVID-19 outbreak: <https://www.epa.gov/enforcement/enforcement-policy-guidance-publications>.

Members of the public can help protect our environment by identifying and reporting environmental violations. Learn more here: <https://www.epa.gov/enforcement/report-environmental-violation-general-information>.



## EPA Continues Efforts to Help Increase the Availability of Disinfectant Products for Use Against the Novel Coronavirus

**WASHINGTON (March 26, 2020)** — Today, the U.S. Environmental Protection Agency (EPA) took steps to provide additional flexibilities to manufacturers of disinfectants and other pesticides. EPA intends for these flexibilities to increase the availability of products for Americans to use against the novel coronavirus. After meeting with stakeholders last week and discussing supply chain challenges posed by the pandemic, EPA is allowing manufacturers to obtain certain inert ingredients—or inactive ingredients like sodium chloride or glucose—from different suppliers without checking with the agency for approval.

“EPA is committed to doing our part to help ensure American families, communities, business and hospitals have access to as many effective surface disinfectant products as possible,” **said EPA Administrator Andrew Wheeler.** “There is no higher priority for the Trump Administration than protecting the health and safety of Americans, and the steps we are taking today are helping put more products on the shelves without sacrificing important public health and environmental protections.”

Commodity inert ingredients are individual inert ingredients—there are approximately 280 total—that can be obtained from different producers with no significant differences in the ingredient. Applicants for pesticide registration or registration amendments can obtain commodity inert ingredients from various commercial sources without having to provide EPA with the supplier name and address. Only those inert ingredients designated as commodity inert ingredients would be eligible for this reduced Confidential Statement of Formula (CSF) reporting.

The agency is also continuing to expedite the review of submissions from companies requesting to add emerging viral pathogen claims to their already registered surface disinfectant labels. In many cases, the agency continues to be able to approve claims within 14 days, as resources allow, compared to the 90-day window these claims typically take. Today, EPA added 70 new surface disinfectants to EPA’s [List N: Disinfectants for Use Against SARS-CoV-2 \(List N\)](#), bringing the total number of products on the list to more than 350.

It is important to note that List N only includes surface disinfectants registered by EPA. Other disinfection products like hand sanitizers and body wipes are regulated the U.S. Food and Drug Administration. Using an EPA-registered product in ways other than what is specified in the label is against the law and unsafe.

For more information about EPA's List of commodity inert ingredients, visit: <https://www.epa.gov/pesticide-registration/commodity-inert-ingredients>

For information and guidance on alcohol-based hand sanitizer products, please see FDA's website: <https://www.fda.gov/news-events/press-announcements/coronavirus-covid-19-update-fda-provides-guidance-production-alcohol-based-hand-sanitizer-help-boost>

For EPA's coronavirus website, visit: <https://www.epa.gov/coronavirus>

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### SBA Information

Given the current economic situation, we thought you might also be interested in Small Business Administration grant information for some of your members. SBA approved **Economic Injury Disaster Loan** declarations, opening the opportunity to small businesses to access low-interest loans. The EIDL designation means that small businesses, small agricultural cooperatives, and nonprofits that have suffered substantial economic losses as a result of the coronavirus (COVID-19) outbreak now can apply for low-interest loans as part of \$1 billion in funding made available to the SBA by Congress earlier this month. If a business has been affected by the coronavirus pandemic, this program offers working capital to meet needs, including payroll, accounts payable, and fixed debt payments until the situation improves. Interest rates are 3.75% for small businesses and 2.75% for non-profits. That information can be found here: <https://www.sba.gov/page/coronavirus-covid-19-small-business-guidance-loan-resources#main-content>. Apply now at <https://disasterloan.sba.gov/ela/>.

### FDA Information

Additionally, for those impacted by FDA, here is an FDA statement issued this week: <https://www.fda.gov/news-events/fda-voices-perspectives-fda-leadership-and-experts/fda-offers-assurance-about-food-safety-and-supply-people-and-animals-during-covid-19>. If businesses have supply chain issues, they can contact FEMA: <https://www.fema.gov/nbeoc> 24 hours a day, 7 days a week. Food and agriculture are considered critical. If there are challenges moving food into areas, contact FEMA.

Since our last email to you, Administrator Wheeler met with small and large disinfectant manufacturers via a series of conference calls. More information can be found here: <https://www.epa.gov/newsreleases/administrator-wheeler-meets-disinfectant-manufacturers-highlighting-agency-work-fight>

We know that many of you are super busy and feel like you are drinking from a firehose. If there is anything we can do to help, please reach out.

In the meantime, stay safe and healthy,  
Nena and the Smart Sectors team

Nena Shaw  
Smart Sectors Program  
Office of Policy, Immediate Office  
U.S. Environmental Protection Agency  
Office: (202) 564-5106  
Mobile: (202) 494-5763

